

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Inventors: James M. Holden et al.
Assignee: Nanometrics Incorporated
Title: Apparatus and Method for the Measurement of Diffracting Structures
Serial No.: 09/670,000 Filing Date: September 25, 2000
Examiner: Chih-Cheng Glen Kao Group Art Unit: 2882
Docket No.: NAN022 US Confirmation No: 3656

#19
Supp Ds
TC 2000 JUL 9 2003
RECEIVED
MAIL ROOM

Santa Clara, California
July 9, 2003

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(c)**

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, §1.97 and §1.98, the Applicants submit for consideration in the above-identified patent application the documents listed on the accompanying Form PTO-1449. A copy of the documents is also submitted herewith. The Examiner is requested to make this document of record.

This Information Disclosure Statement is submitted pursuant to 37 CFR §1.97(c) as it is after receipt of a first Office Action on the merits but before mailing of a final Action or Notice of Allowance. Accordingly, a fee is required pursuant to 37 CFR §1.17(p). A Fee Transmittal form (PTO/SB/17) is attached to this submission.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

In addition, Applicants submit for the Examiner's consideration the following list of co-pending and co-owned applications, cited by serial number, first named inventor and filing date. The Applicants presume that the Examiner has access to and will review the co-pending applications and the files thereof for any office actions, amendments or other materials that may be relevant to the patentability of the claims of the present application. For any such U.S. patent application(s) that are currently pending, the Applicants further presume

SILICON VALLEY
PATENT GROUP LLP
2350 Mission College Blvd.
Suite 360
Santa Clara, CA 95054
(408) 982-8200
FAX (408) 982-8210

07/14/2003 SMINASSI 00000092 09670000

180.00 DP

that the Examiner will consider any future office actions, amendments or other materials in the file thereof that may be relevant to the patentability of the claims herein. **If the Applicants' understanding in this regard is not correct, please notify the undersigned so that copies of any such documents can be submitted to the Examiner with the necessary precautions so that the file may be expunged of any proprietary information that is considered unimportant to a reasonable examiner.**

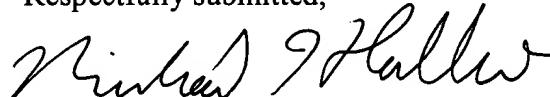
All of the co-pending applications in the following list are unpublished. Applicants do not believe that it is proper for any of the listed applications to appear on the face of a patent that may issue from the present application, and accordingly, Applicants have not listed these applications on a PTO-Form 1449.

	Serial No.:	First Named Inventor	Date:
1.	10/116,863	Weidong Yang	Apr. 4, 2002
2.	10/116,798	Weidong Yang	Apr. 4, 2002
3.	90/006,185 Reexamination of 5,963,329	Edward W. Conrad	Jan. 10, 2002
4.	10/261,547	Weidong Yang	Sep. 30, 2002
5.	10/085,832	James M. Holden	Feb. 27, 2002
6.	09/844,559	William A. McGahan	Apr. 27, 2001
7.	09/960,892	Roger R. Lowe-Webb	Sep. 20, 2001
8.	09/898,641	Pablo I. Rovira	Jul. 3, 2001

The information contained in this Information Disclosure Statement under 37 C.F.R. §1.555 is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

**Via Express Mail Label No.
ER 308 113 633 US**

Respectfully submitted,



Michael J. Halbert
Attorney for Applicants
Reg. No. 40,633

SILICON VALLEY
PATENT GROUP LLP
2350 Mission College Blvd.
Suite 360
Santa Clara, CA 95054
(408) 982-8200
FAX (408) 982-8210

7-11-03

#19 2882

Please type a plus sign (+) inside this box ► Approved for use through 10/31/02. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

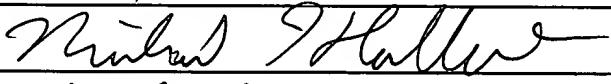
TRANSMITTAL FORM		Application Number	09/670,000
		Filing Date	September 25, 2000
		First Named Inventor	James M. Holden
		Group Art Unit	2882
		Examiner Name	Chih-Cheng Glen Kao
Total Number Of Pages In This Submission	6 pages + 2 Refs.	Attorney Docket No.	NAN022 US

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation of Previous Powers; And Statement Under 37 CFR 3.73(b)	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	• Return Receipt Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement (2 pages)	<input type="checkbox"/> Request for Refund	• Form PTO-1449 (1 page)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

RECEIVED
JUL 15 2003
TO 4800 MAIL ROOM

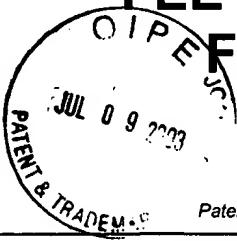
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Michael J. Halbert (Reg. No. 40,633) Silicon Valley Patent Group LLP 2350 Mission College Boulevard, Suite 360 Santa Clara, California 95054
Signature	
Date	7-8-03

Express Mail Label No.: ER 308 113 633 US

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FEE TRANSMITTAL FOR FY 2003



Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$180.00)

Complete if Known

Application Number	09/670,000
Filing Date	September 25, 2000
First Named Inventor	James M. Holden
Group Art Unit	2882
Examiner Name	Chih-Cheng Glen Kao

TOTAL AMOUNT OF PAYMENT (\$180.00)

Attorney Docket No NAN022 US

TC 2880 MAIL ROOM
JUL 15 2003
RECEIVED
PTO

METHOD OF PAYMENT

The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

50-2263

Deposit Account Name

Silicon Valley Patent Group LLP

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.272. Payment Enclosed: Check Credit Card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$0.00)

2. EXTRA CLAIM FEES

Total Claims	- 20** =	0	x	9	=	\$0
Independent Claims	- 3** =	0	x	42	=	\$0

Multiple Dependent 0 140 = \$0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	8	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claims, if not paid
1204	84	2204	42	**Reissue independent claims over original patent
1205	18	2205	8	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0.00)

** or number previously paid, if greater; For reissues, see above.

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee for provisional applications	
1806	180	1806	180	Submission of Information Disclosure Statement	180
8021	40	8021	40	Recording each patent assignment per properties (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$180.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Michael J. Halbert	Registration No. (Attorney/Agent)	40,633	Telephone	(408) 982-8200 ext. 2
Signature				Date	July 9, 2003